

ESTTA Tracking number: **ESTTA424221**

Filing date: **08/10/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Joma Music Group, Inc.		
Entity	Corporation	Citizenship	New York
Address	50 W. 106th Street Suite 14A New York, NY 10025 UNITED STATES		

Attorney information	David A. Bondy The Law Offices of David A. Bondy, P.C. 200 12th Street Brooklyn, NY 11215 UNITED STATES dbondy@bondylaw.com Phone:646-926-2042
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### Applicant Information

Application No	76706626	Publication date	07/12/2011
Opposition Filing Date	08/10/2011	Opposition Period Ends	08/11/2011
Applicant	Joma Publishing and Recording Company 385 Peck Street New Haven, CT 06513 UNITED STATES		

### Goods/Services Affected by Opposition


Class 041. All goods and services in the class are opposed, namely: Music production services; sound recording studios
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### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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### Mark Cited by Opposer as Basis for Opposition

U.S. Application No.	85342481	Application Date	06/09/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	JOMA		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2009/05/01 First Use In Commerce: 2009/05/01 Downloadable musical sound recordings; Musical sound recordings Class 041. First use: First Use: 2009/05/01 First Use In Commerce: 2009/05/01 Production of musical sound recording

Attachments	85342481#TMSN.jpeg ( 1 page )( bytes ) Statement in Opposition to Application.pdf ( 1 page )(41946 bytes )
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### **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/David A. Bondy/
Name	David A. Bondy
Date	08/10/2011

Statement in Opposition to Application for JOMA Mark (Serial No. 76706626)  
Filed with ESTTA Notice of Opposition

1. My client, Joma Music Group, Inc., believes that it will be damaged by registration of the mark shown in the above-identified application, and hereby opposes the same.
2. Joma Music Group, Inc., is a recording and music publishing company with an office in New York City. The company, which was formed as a corporation in the State of New York on April 7, 2008, first offered musical recordings under the mark JOMA for sale nationally and internationally on May 1, 2009. Its application for trademark of the mark is filed with the U.S. Patent and Trademark Office and referenced as Serial No. 85342481.
3. The owner of the opposed application, Joma Publishing and Recording Company, by filing an intent-to-use application indicates that it has not yet used the JOMA mark in commerce.
4. The two companies provide similar services. The use of the Mark by different companies for such services would likely cause confusion in the mind of the consuming public as to the source of such services. My client has used the mark first in commerce. Therefore, I respectfully request that the application for JOMA mark (Serial No. 76706626) be rejected for registration based on my client's prior use of the mark.

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